

PREVENTIVE LAW

SERIES

Legal Assistance Program

TOPIC:

ESTABLISHING PATERNITY

June 2014

If you have questions concerning the topic
of this pamphlet, please contact the
Legal Assistance Office
226-4022

For additional information & useful links, please visit:

<https://aflegalassistance.law.af.mil>

Legal Assistance Office
the
Phone 226-4022

Office of
Staff Judge Advocate

WHAT YOU SHOULD KNOW ABOUT ESTABLISHING PATERNITY

Establishing Paternity

For children born to unmarried parents, establishing paternity is essential to obtaining a child support order and to collecting legally ordered child support. Far too many children cannot receive the financial support they need and deserve because legal paternity has not been established. Each year, more than one million births, or 30.1 percent of all births are to unwed mothers. Paternity is not established for most of these children.

Paternity establishment is the first step in obtaining child support. Legally established paternity provides fundamental emotional, social, and economic ties between a parent and a child.

The Child Support Enforcement (CSE) Program is a Federal, State, and local effort to establish paternity and to collect child support from parents who are legally obligated to pay. State enforcement programs locate absent parents, establish paternity when necessary, establish and enforce support orders, and collect child support payments. The CSE program is usually administered through State and county social services departments. The Child Support Enforcement Amendments of 1984 directed that States establish “efficient and effective programs.” States are expected to meet Federal standards for the establishment of paternity. In situations where the mother and father reside in different states, usually the State where the mother and child reside is the most appropriate forum to handle the paternity case.

So you ask the question, what if a purported father denies paternity? Well, a judge may order a blood or genetic test and make a ruling on the basis of testimony and test results. Laboratory tests are important because the results from blood testing, which have a high degree of accuracy, can be presented as evidence to establish the relationship between a father and the child. The results can also be used to exclude a man wrongfully believed to be the father. If the father accepts that he is, in fact, the father, a legal document certifying his paternity is prepared.

BENEFITS OF ESTABLISHING PATERNITY

Why establish paternity?

Once paternity is established, you can get a legal document, which certifies that the alleged father is the legal father of a child.

Once paternity is established, you can get a child support order.

Once paternity is established, the child’s legal rights and privileges can be established, such as social security, pension and retirement benefits until the child becomes 18 or 21 years old, depending on state law.

Once paternity is established, the child may be able to interact with both parents as well as both parents’ families. Also, the father can claim his right to a relationship with his child.

Once paternity is established, important medical history information becomes available.

Once paternity is established, it can provide parental responsibility and ensure that both parents contribute to their children's financial and emotional well being.

If you need legal advice on paternity establishment, please contact the legal office to schedule a legal assistance appointment at 226-4022. For unmarried mothers with children born here in Japan, if you want the father's name to be included on the birth certificate, the Inpatient and Registration office at the hospital will direct you to our office to complete an affidavit of paternity for birth registration purposes (attached). For unmarried mothers with children born in the U.S. the father can make a written sworn statement of paternity affirming that he is the father. Our office will provide the notary service.

For more information about child support enforcement and paternity establishment, contact your State County Social Services Department or write to:

**The Administration for Children and Families
Office of Child Support Enforcement National
Child Support Enforcement Reference
Center
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447
Phone (202) 401-9215**

PATERNITY TESTS IN MISAWA

As a courtesy, the local hospital, the 35th Medical Group, can perform specimen collection to assist with paternity testing (please note that the hospital does not perform paternity tests). For hospital assistance, a service member must have a court order to test for paternity. The court should provide the service member with a "cheek swab" kit. The service member may then make an appointment with his primary care provider to collect the specimen. The service member's primary care provider will make a referral for the service member to have the specimen collected. In most cases the appointment will occur the same day, however it could take up to two days. On the day of the appointment bring the kit and give it to the provider or medical technician who will perform cheek swab. After completing the procedure, the provider or medical technician will secure the specimen and send it through the mail to the address on the pre-addressed box. Under no circumstances will the kit be returned to the individual. The service member will be provided with any applicable documents/receipts.

AFFIDAVIT OF PATERNITY

Japan }
 } SS
City of Misawa }

I, _____, the undersigned, do solemnly swear (or affirm):

That I am an American citizen

By birth in _____ on _____
(city/town, state) (date)
by naturalization before the _____
(name of court)
on _____ at _____
(date) (place of naturalization)

That I have been physically present in the United States as follows:

Place	Date	
	FROM	TO
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____

That I have been physically present abroad as follows:

Place	Date	*Status
	FROM	TO
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____
_____	FROM _____	TO _____

That I have served in the United States Armed Forces from _____
,
_____, to _____, 20____.

My military service number is _____.

My Social Security number is _____.

That I was married on _____ to _____
,
(date) (name of spouse)

whom I first met on _____ at _____
.

(date)

(place)

*** If employed give name of employer, e.g., "military service, U.S. Army", "foreign service officer, Department of State". If physically present abroad as dependent, unmarried son or daughter and member of household of person abroad is in service of U.S. Armed Forces or U.S. Government or International Organization so indicate, e.g., "U.S. Army Dependent". If vacationer, indicate "vacationer" or "tourist".**

That, to the best of my knowledge, I am the natural father of the following children:

Name	Date of Birth	Place of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

WARNING: False statements made knowingly and willfully in passport applications or affidavits or other supporting documents are punishable by fine and/or imprisonment under the provisions of 18 USC 1001 and/or 18 USC 1542.

I solemnly swear (or affirm) that the statements made on all the pages of this affidavit are true and complete to the best of my knowledge and belief and that this affidavit is for the purpose of establishing my relationship to the aforementioned child/children: and for the purpose of establishing his/her/their claim to United States citizenship. I agree to provide financial support for my child until s/he reaches the age of 18 years.

(Signature of Affiant)

(Present Address)

Subscribed and sworn to (affirmed) before me this _____ day of _____, 20____
at _____

SEAL

NOTARY